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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,408	12/11/2003	David L. Kaminsky	014682.000002	1407

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EXAMINER	
MADAMBA, GLENFORD J	

ART UNIT	PAPER NUMBER
2151	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/707,408	KAMINSKY ET AL.	
	Examiner	Art Unit	
	Glenford Madamba	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12/11/2003* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1- 5, 10-17, 23-31, and 35-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Shanumgam et al (hereinafter Shanumgam), U.S. Patent US 7,032,022 B1.

As per Claims 1, 11, 12, 23, 24 and 36, Shanumgam discloses a method to distribute policies, comprising [Abstract]:

transmitting one of an identification (ID) (e.g., policy identifier {ID} attribute 724) assigned to a policy template or the policy template associated with each policy (e.g. policy template files saved to policy enforcers 124 / 126) [col 15, L23-26] to an enforcement point or selected enforcement points for enforcement (Policy Enforcers 142 / 126) [Fig. 1] [col 1, L65 – col 2, L26]; and

transmitting one set of parameters (i.e., attributes) [col 19, L49-65] to be used in each policy template (e.g., selected policy enforcer 'settings') [Abstract] [Fig. 5] [col 8,L20-54] to the enforcement point or selected enforcement points (i.e., 411) [Fig. 5] [Figs. 1-4, 13-14 & 17] [col 1, L65 – col 2, L26].

Claims 11, 12, 23, 24 and 36 recite the same limitations as claim 1, are distinguished only by statutory category, and thus rejected on the same basis.

As per Claims 2, 13, 29 and 37, Shanumgam discloses the method of claim 1, binding the parameters to each associated policy template [Abstract] [Figs. 5 & 17] [col 20, L22-47].

As per Claims 3, 14 and 38, Shanumgam discloses the method of claim 2, further comprising implementing the policy associated with each policy template [Figs. 1-5, 15 & 17] [col 1, L65 – col 2, L26].

As per Claims 4, 15, 30 and 39, Shanumgam discloses the method of claim 1, further comprising transmitting a query in response to each policy template corresponding to any transmitted IDs not present at the enforcement point or any of the selected enforcement points [col 13, L24-30].

As per Claims 5, 17, 31 and 40, Shanumgam discloses the method of claim 1, further comprising transmitting any policy templates to the enforcement point or any of the selected enforcement points in response to a query from the enforcement point or any of the selected enforcement points including any IDs assigned to the policy templates.

As per Claims 10, 28 and 35, Shanumgam discloses a method to distribute policies, comprising:

defining a policy template associated with each policy; assigning a unique identification (ID) to each policy template [Abstract];

storing each policy template and assigned ID (130) [Fig. 1]; and

transmitting one of the assigned ID or the policy template to an enforcement point for each policy to be enforced by the enforcement point (i.e., 411) [Fig. 5] [Figs. 1-4, 13-14 & 17] [col 1, L65 – col 2, L26].

As per Claims 16, Shanumgam discloses the method of claim 10, further comprising querying a repository in response to each policy template corresponding to any transmitted IDs not present at the enforcement point (e.g., querying LDAP database) [col 13, L24-30].

As per Claims 25, Shanumgam discloses the system of claim 23, wherein each enforcement point comprises:

a processor to receive the IDs assigned to each policy template (policy server 122 / policy enforcers 124 / 126) [Fig. 1] .

; and

a data source to store each policy template for enforcement and assigned ID, wherein the processor forms and transmits a query in response to each policy template corresponding to any transmitted IDs not present in the data source (e.g., repositories 130, 132, 134) [Fig. 1] [Figs. 3-4 & 12-19]

As per Claims 26, Shanumgam discloses the system of claim 23, further comprising a repository to store each policy template and assigned ID (e.g., repositories 130, 132, 134) [Fig. 1].

As per Claims 27, Shanumgam discloses the system of claim 26, further comprising a server to interface between each policy administrator, each enforcement point and the repository [Fig. 1].

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 6, 18, 32 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanumgam et al (hereinafter Shanumgam), U.S. Patent US 7,032,022 B1 in view of Widegren et al (hereinafter Widegren), U.S. Patent 6,621,793.

As per Claims 6, 18, 32 and 41, Shanumgam in view of Widegren discloses the method of claim 5, further comprising applying asynchronous, out-of-band communication to transmit the query and any policy templates.

While Shanumgam discloses substantial features of the invention such as the method of claim 5, and transmitting of policy templates in response to a query from the enforcement points, he does not explicitly disclose the added feature of the method further comprising applying asynchronous, out-of-band communication to transmit the query and any policy templates. The feature is disclosed by Widegren in a related endeavor.

Widegren discloses as his invention a method of filtering and gating data flow in a QoS connection between a remote host and user equipment in a packet data network using policy control mechanisms includes a remote host initiating an application in an application server and a corresponding session between the remote host and the user equipment ("UE") via the application server. The UE requests, to a

gateway support node ("GGSN") of the network, establishment of a network bearer service between the UE and the remote host. A corresponding policy control function ("PCF") in a policy server receives, from the application server, filtering data derived from session data received by the application server during the session. The GGSN interrogates the corresponding PCF in the policy server to initialize a gate using policy control filtering data at the GGSN. The gate then filters the data flow in the QoS connection according to the policy control filtering data [Abstract]. In particular, Widegren discloses the added feature of the method further comprising applying asynchronous, out-of-band communication to transmit the query and any policy templates (e.g., asynchronous notification) [col 22, L41-53].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Shanumgam's invention with the added feature of the method further comprising applying asynchronous, out-of-band communication to transmit the query and any policy templates, as disclosed by Widegren, for the motivation of providing a method of filtering and gating data in packet data networks using policy mechanisms [col 1, L15-17].

3. Claims 7, 19, 20, 33 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanumgam et al (hereinafter Shanumgam), U.S. Patent US 7,032,022 B1 in view of Danieli, U.S. Patent 6,510,513.

As per Claims 7, 19, 20, 33 and 42, Shanumgam in view of Danieli discloses the method of claim 5, further comprising compressing each policy template before transmitting to the enforcement point or any of the selected enforcement points.

While Shanumgam discloses substantial features of the invention such as the method of claim 5, and transmitting of policy templates in response to a query from the enforcement points, he does not explicitly disclose the added feature of the method further comprising compressing each policy template before transmitting to the enforcement point or any of the selected enforcement points. The feature is disclosed by Danieli in a related endeavor.

Danieli discloses as his invention a Security services and policy enforcement for electronic data. A first client generates a digest from the electronic data, and submits a security certificate request containing the digest to a trusted arbitrator server, where the request is time stamped and logged. The trusted arbitrator authenticates the first client's credentials and returns the security certificate to the first client. The data and security certificate are combined to create a distribution unit. A second client acquires the distribution unit, extracts the security certificate, and generates a digest from the data. If the digest from the second client matches the logged digest from the first client, the data is valid. Depending on the certificate type and policy level, the trusted arbitrator server provides other services to the clients, such as notification of improper user of the data [Abstract]. In particular, Danieli discloses the added feature of the

method further comprising compressing each policy template before transmitting to the enforcement point or any of the selected enforcement points [col 16, L21-36].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Shanumgam's invention with the added feature of the method further comprising compressing each policy template before transmitting to the enforcement point or any of the selected enforcement points, as disclosed by Danieli, for the motivation of providing a system and method for authenticating and validating electronic data and enforcing restrictions (e.g. policies) on the use of electronic data [col 1, L5-10].

4. Claims 8, 9, 21, 22, 34, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanumgam et al (hereinafter Shanumgam), U.S. Patent US 7,032,022 B1 in view of Valente et al (hereinafter Valente), U.S. Patent Publication US 2003/0110192 A1.

As per Claims 8, 21, 34 and 43, Shanumgam in view of Valente discloses the method of claim 1, further comprising forming each policy template in a structured document.

While Shanumgam discloses substantial features of the invention such as the method of claim 5, and transmitting of policy templates in response to a query from the enforcement points, he does not explicitly disclose the added feature of the method

further comprising forming each policy template in a structured document (e.g., XML document).. The feature is disclosed by Valente in a related endeavor.

Valente discloses as his invention a Security services and policy enforcement for electronic data. A first client generates a digest from the electronic data, and submits a security certificate request containing the digest to a trusted arbitrator server, where the request is time stamped and logged. The trusted arbitrator authenticates the first client's credentials and returns the security certificate to the first client. The data and security certificate are combined to create a distribution unit. A second client acquires the distribution unit, extracts the security certificate, and generates a digest from the data. If the digest from the second client matches the logged digest from the first client, the data is valid. Depending on the certificate type and policy level, the trusted arbitrator server provides other services to the clients, such as notification of improper user of the data [Abstract]. In particular, Valente discloses the added feature of the method further comprising forming each policy template in a structured document [Abstract] (e.g., XML file 602a) [Fig. 6].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Shanumgam's invention with the added feature of the method further comprising forming each policy template in a structured document (e.g., XML document), as disclosed by Valente, for the motivation of providing a system and method for authenticating and validating electronic data and enforcing restrictions (e.g. policies) on the use of electronic data [col 1, L5-10].

As per Claims 9, 22 and 44, Shanumgam in view of Valente discloses the method of claim 1, further comprising forming each policy template in a mark-up language.

While Shanumgam discloses substantial features of the invention such as the method of claim 5, and transmitting of policy templates in response to a query from the enforcement points, he does not explicitly disclose the added feature of the method further comprising forming each policy template in a mark-up language. The feature is disclosed by Valente in a related endeavor.

Valente discloses as his invention a Security services and policy enforcement for electronic data. A first client generates a digest from the electronic data, and submits a security certificate request containing the digest to a trusted arbitrator server, where the request is time stamped and logged. The trusted arbitrator authenticates the first client's credentials and returns the security certificate to the first client. The data and security certificate are combined to create a distribution unit. A second client acquires the distribution unit, extracts the security certificate, and generates a digest from the data. If the digest from the second client matches the logged digest from the first client, the data is valid. Depending on the certificate type and policy level, the trusted arbitrator server provides other services to the clients, such as notification of improper user of the data [Abstract]. In particular, Valente discloses the added feature of the method further comprising forming each policy template in a mark-up language [Abstract] (e.g., XML file 602a) [Fig. 6].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Shanumgam's invention with the added feature of the method further comprising forming each policy template in a structured document (e.g., XML document), as disclosed by Valente, for the motivation of providing a system and method for authenticating and validating electronic data and enforcing restrictions (e.g. policies) on the use of electronic data [col 1, L5-10].

Conclusion

1. The Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Chaudhari et al Patent No.: US 7103351 B2
  Policy Service System and Methodology
- Smith et al Patent No.: US 6826609 B1
  Policy Enforcement in a Secure Data File Delivery System

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenford Madamba whose telephone number is 571-272-7989. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Wallace Martin can be reached on 571-272-3440. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenford Madamba
Examiner
Art Unit 2151

V. Martin Wallace

VALENCIA MARTIN-WALLACE
PRIMARY EXAMINER